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REMARKS/DISCUSSION OF ISSUES

Claims 1-17 and 21-23 are pending in the application.

Reexamination and reconsideration are respectfully requested in view of the following remarks.

35 U.S.C. § 103

The Office Action rejects 1, 2, 6, 9, 10, 14, 17 and 21 under 35 U.S.C. § 103 over Fleming et al. U.S. Patent 6,449,766 ("Fleming") in view of Whitelaw et al. U.S. Patent 6,944,876 ("Whitelaw"); claims 3-5, 11-13 and 22 under 35 U.S.C. § 103 over Fleming in view of Whitelaw and further in view of Siegel et al. U.S. Patent Publication 2003/0056212 ("Siegel"); and claims 7-8, 15-16 and 23 under 35 U.S.C. § 103 over Fleming in view of Whitelaw and further in view of Yuen et al. U.S. Patent 6,583,825 ("Yuen").

Applicant respectfully traverses those rejections for at least the following reasons.

Claim 1

Among other things, the device of claim 1 includes a processor which is configured to read an origin code embedded in content received by the device.

The Office Action states that Fleming discloses in col. 9, lines 22-30 that "*the region code, represents a region, is included in the signal.*"

Applicant respectfully disagrees.

Col. 9, lines 22-30 of Fleming describes a "Region field" 402(1)(e) in a **data structure 300** that is created and stored in memory by Fleming's system **before the system receives any content** (see, e.g., col. 11, lines 19-22; col. 12, lines 14-15. Fleming does not disclose any processor that configured to **read an origin code embedded in content received by the device** as recited in claim 1.

Therefore, no combination of Fleming and Whitelaw could produce the device of claim 1.

Also among other things, the device of claim 1 includes a processor configured to allow access to received content only when a descriptor stored in a

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memory of the device is substantially identical to an origin code embedded in the received content.

The Office Action fails to cite anything in any of the prior art references which discloses or suggest this feature.

Instead, the Office Action states that <u>Fleming</u> discloses matching "***rating information*** *provided in the multimedia program with the rating stored in the data structure*" (emphasis added).

Of course, that is not what Applicant claims.

Applicant claims a device including a processor configured to allow access to received content only when a descriptor stored in a memory of the device is substantially identical to **an origin code** embedded in the received content.

So, again, no combination of <u>Fleming</u> and <u>Whitelaw</u> could produce the device of claim 1.

Applicant also respectfully submits that here is no rational basis for the combination of <u>Fleming</u> and <u>Whitelaw</u> as proposed, and therefore the combination is improper. However, given that no combination of <u>Fleming</u> and <u>Whitelaw</u> could produce the device of claim 1 anyway, Applicant deems that issue moot at this time.

Accordingly, for at least these reasons, Applicant respectfully submits that claim 1 is clearly patentable over the cited art.

<u>Claims 2 and 6</u>

Claims 2 and 6 depend from claim 1 and are deemed patentable for at least the reasons set forth above with respect to claim 1.

<u>Claim 9</u>

Among other things, the method of claim 9 includes comparing a descriptor embedded in content with an origin code, and allowing access of the content only when the descriptor the said origin code are substantially identical.

As explained above with respect to claim 1, Applicant respectfully submits that no possible combination of the cited art suggests such an operation. Furthermore, Applicant also respectfully submits that here is no rational basis for the combination of <u>Fleming</u> and <u>Whitelaw</u> as proposed, and therefore the combination is improper.

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However, given that no combination of <u>Fleming</u> and <u>Whitelaw</u> could produce the device of claim 1 anyway, Applicant deems that issue moot at this time.

Accordingly, for at least these reasons, Applicant respectfully submits that claim 9 is clearly patentable over the cited art.

<u>Claims 10, 14 and 17</u>

Claims 10, 14 and 17 depend from claim 9 and are deemed patentable for at least the reasons set forth above with respect to claim 9.

<u>Claim 21</u>

Among other things, the device of claim 21 includes means for reading an origin code embedded in received content, the origin code identifying a geographical area of origin of the received content; and means for the origin code with a descriptor stored in a memory of the device.

As explained above with respect to claim 1, Applicant respectfully submits that no possible combination of the cited art suggests any device that includes the means recited above. Applicant also respectfully submits that here is no rational basis for the combination of <u>Fleming</u> and <u>Whitelaw</u> as proposed, and therefore the combination is improper. However, given that no combination of <u>Fleming</u> and <u>Whitelaw</u> could produce the device of claim 1 anyway, Applicant deems that issue moot at this time.

Accordingly, for at least these reasons, Applicant respectfully submits that claim 9 is clearly patentable over the cited art.

<u>Claims 3-5, 7-8, 11-14, 15-16, and 22-23</u>

Claims 3-5, 7-8, 11-14, 15-16, and 22-23 depend variously from claims 1, 9 and 21.

Applicant respectfully submits that neither <u>Siegel</u> nor <u>Yuen</u> nor any combination thereof remedies the shortcomings of <u>Fleming</u> and <u>Whitelaw</u> as set forth above with respect to claim 1, 9 and 21.
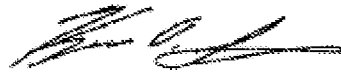
Accordingly, Applicant respectfully submits that claims 3-5, 7-8, 11-14, 15-16, and 22-23 are all patentable over the cited art for at least the reasons set forth above with respect to claims 1, 9 and 21, respectively.

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<u>CONCLUSION</u>

In view of the foregoing explanations, Applicant respectfully requests that the

Examiner reconsider and reexamine the present application, allow claims 1-17 and

21-23 and pass the application to issue. In the event that there are any outstanding

matters remaining in the present application, the Examiner is invited to contact

Kenneth D. Springer (Reg. No. 39,843) at (571) 283.0720 to discuss these matters.

Respectfully submitted,

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